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Paper

Filed by: Trial Section Merits Panel  
Box Interference  
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

MAILED

CRAIG ADAMS,  
PATTY P.Y. PANG, and MARINA BELEI,

AUG 23 2002

Junior Party  
(08/482,785)

v.

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

TAKASHI YUTSUDO,  
KOICHI OKUMURA, MAKOTO IWASAKI,  
AYAKO HARA, MASAMICHI KISHISHITA,  
YOSHIFUMI TAKEDA, HISANAGA IGARASHI,  
and YORIO HINUMA

Senior Party  
(08/188,721)

Interference 103,760

Before LEE, GARDNER-LANE, and MEDLEY Administrative Patent Judges.

GARDNER-LANE, Administrative Patent Judge.

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

I. Background

On 19 August 2002, at approximately 2:30 pm, a conference call was held with Administrative Patent Judge Sally Gardner-Lane, Adams counsel Jeffrey Auerbach, and Yutsudo counsel Maryanne Armstrong. The parties indicated that the interference had been settled, that the involved applications were now commonly assigned, and that judgment should be entered against Yutsudo. The parties indicated that Mr. Auerbach would be representing the common owner of the involved applications for the remainder of the interference.

Adams, through Mr. Auerbach, has filed a paper requesting adverse judgment against Yutsudo under 37 CFR 1.662(a) (Paper 55).

According to Adams, "all right title and interest to the YUTSUDO Application was assigned to Beckman-Coulter, Inc., the Assignee of all right title and interest in the ADAMS application" (Paper 55 at 3). A copy of what appears to be an assignment of the Yutsudo involved application to Beckman-Coulter, Inc., has been filed by Adams (Paper 54).

Accordingly, it is appropriate to enter judgment against Yutsudo as requested.

II. Order

Upon consideration of the record of the interference, it is

ORDERED that judgment on priority as to Count 1, the sole count in the interference, is awarded against senior party TAKASHI YUTSUDO, KOICHI OKUMURA, MAKOTO IWASAKI, AYAKO HARA, MASAMICHI KISHISHITA, YOSHIFUMI TAKEDA, HISANAGA IGARASHI, and YORIO HINUMA;

FURTHER ORDERED that senior party TAKASHI YUTSUDO, KOICHI

OKUMURA, MAKOTO IWASAKI, AYAKO HARA, MASAMICHI KISHISHITA,  
YOSHIFUMI TAKEDA, HISANAGA IGARASHI, and YORIO HINUMA, is not entitled to a  
patent containing claims 19-23, 26, and 27 of application 08/188,721, which correspond to  
Count 1;

FURTHER ORDERED that a copy of this Judgment be given a paper number and  
be entered in the administrative records of Adams' 08/482,785 application and Yutsudo's  
08/188,721 application.

Jameson Lee  
JAMESON LEE )  
Administrative Patent Judge )  
 )  
Sally Gardner-Lane )  
SALLY GARDNER-LANE ) BOARD OF PATENT  
Administrative Patent Judge ) APPEALS AND  
 ) INTERFERENCES  
 )  
 )  
Sally C. Medley )  
SALLY C. MEDLEY )  
Administrative Patent Judge )

cc (via facsimile and first class mail):

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**INTERFERENCE  
DIGEST**

Interference No. 103,760 Paper No. 16

Name, Craig W. Adams et al.

Serial No. 08/482,785 Patent No. \_\_\_\_\_

Title, Recombinant Dnase B Derived From Streptococcus Pyogenes

Filed, June 7, 1995

Interference with Takashi Yutsudo et al.  
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**DECISION ON MOTIONS**

Examiner-in-Chief, Adriene Hanlon Dated, \_\_\_\_\_  
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**FINAL DECISION**

Board of Patent Appeals and Interferences, Favorable Dated, 8/23/92

Court, \_\_\_\_\_ Dated, \_\_\_\_\_

**REMARKS**

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This should be placed in each application or patent involved in interference in addition to the interference letters.

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